

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24709 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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1. Manoj Singh, Son of Late Kishori Singh
 2. Gautam Kumar Son of Manoj Singh,
 3. Bam Shankar Kumar @ Bam Kumar Son of Manoj Singh,
 4. Prem Shankar Kumar @ Prem Kumar Son of Late Balram Singh All resident of Village Rasalpur, P.S. Hathiyawan, District Sheikhpura.
 5. Rajeev Singh son of Sudhir Singh, resident of Village Mehus, P.S. Mehus, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 11-08-2016 Heard both sides.

The petitioners five in number apprehend their arrest in Sheikhpura (Hathiyawan) P.S. Case No. 05/16, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant Basant Singh named the petitioners and made omnibus and general allegation that they assaulted the informant and his family members. It is further alleged that Rajeev Singh petitioner no. 5 assaulted Sanjeev Kumar with Tangi and that is why Sanjeev Kumar was referred to P.M.C.H. for treatment, as he got injuries on nose and forehead.

Learned counsel for the petitioners submits that except Sanjeev Kumar neither the informant nor his family members were injured. There is specific allegation against Rajeev Singh that he assaulted Sanjeev Kumar with Tangi. There is a counter version and both the sides have compromised the case and the Learned A.P.P. did not dispute this fact.

Having taken into consideration that there is omnibus and general allegation of assault against petitioner no. 1 Manoj Singh, petitioner no. 2 Gautam Kumar, petitioner no. 3 Bam Shankar Kumar @ Bam Kumar and petitioner no. 4 Prem Shankar Kumar @ Prem Kumar, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Hathiyawan) P.S. Case No. 05/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

So far as the case of petitioner no. 5 Rajeev Singh is concerned, there is specific allegation that he assaulted Sanjeev Kumar with Tangi on his nose and forehead and thereafter, he was

referred to P.M.C.H. for treatment.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioner no. 5 Rajeev Singh on anticipatory bail.
Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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